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ABSTRACT

This issue deals with the impact of unionization on library management. Instead of advocating particular practices in this area, it attempts to reflect present conditions and to suggest avenues of assistance and information available to member libraries. The processes of contract negotiations and unionization are described, defining possible roles of the parent institutions and union leadership. Some further implications are given regarding collective bargaining and the general pattern of personnel practices and procedures. Selected publications, unionized libraries, and assistance institutions are listed. (CH)

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REVIEW OF COLLECTIVE BARGAINING ACTIVITIES IN ACADEMIC AND RESEARCH LIBRARIES

The subject of this *Supplement* is the impact of unionization on library management. While library unions in the United States date back to the early twentieth century, the movement's growth in the 1960's has made the subject of wide interest. The union presence and the constraints of collective bargaining agreements may be viewed as adding another dimension to the already complex management tasks facing research library administrators; wherever they exist, unions have become a regular and important part of management processes.

In unionized institutions, library administrators have to be prepared to defend their actions as reasonable, fair, and procedurally correct. Although many first-line supervisors feel limited in working under a collective bargaining agreement, many others appreciate the structured setting that it provides with its specific guidelines for operations. From the standpoint of the individual staff member, the union can diminish independence of action while increasing the collective voice in designing the work situation.

Certain trends and tendencies are observable in unionized libraries. There is evidence that the broader-based and larger the union local, the less likely it is to be concerned with the details of everyday operations. With larger constituencies, union leadership tends to concern itself with the traditional bread and butter issues of salary and benefits, issues with which more people can identify. Unionization tends to strengthen the central library in its relations with branches or departmental units. The contract centers responsibility for resolving problems and administering the contract in the hands of the director or his representative. In some institutions this has resulted in the central library's exercising increased control over policy and managing more of the personnel and budgeting operations. There is also evidence that working under a collective bargaining agreement tends to emphasize top and bottom management levels at the expense of middle management. In handling personnel problems, grievances, or questions of contract interpretation, for example, the first-line supervisor often confers with the person responsible for union relations, who is usually at the senior administrative level.

Some broad questions which must be considered when investigating unionization are given below:

- How does unionization affect library capabilities and overall performance?
- Is unionization a good means for staff to achieve a greater role in policy-making?
- Do unions contribute to the development of grievance procedures, fair, and equitable compensation systems and sound personnel practices. Can unionization contribute to improved management?
- Does the presence of a collective bargaining agent dictate staff/management polarization?

In the sections that follow, we will discuss approaches used to cope with the process of contract negotiations and unionization, some further implications of unionization, and some specific institutions which have unionization. It is not the intent of this *Supplement* to evaluate or advocate the practices described here. Instead, this review attempts to reflect present conditions and to suggest avenues of assistance and information available to member libraries.

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NOTE TO OUR READERS

The data for this Supplement is based on a Council on Library Resources fellowship project, carried out by Dr. Joan Gotwals, from October, 1971-March, 1972.

The ARL Management Supplement is issued periodically as part of a continuing effort to establish channels of communication and provide forums for discussion of matters regarding library management. Each issue is devoted to a central theme, and contains news of activities, programs, research studies, and on-going projects involving various aspects of library management.

The success of this publication is dependent upon the information made available to us. We hope our readers will share with us information regarding their activities and that the publication of this information will stimulate direct exchanges among those individuals working in the several areas described.

ORGANIZATIONAL APPROACHES TO UNIONIZATION AND NEGOTIATION

MEMBERS OF MANAGEMENT NORMALLY INVOLVED

Access to the library management person in charge of labor relations seems essential in developing good working relations with the union. Possible forms for this include regularly scheduled meetings, a structured labor-management committee, or informal meetings between the union president and the management representative to exchange information and discuss problem areas. The key ingredient is that the management liaison be readily available, willing to listen, and genuinely interested in making the contract work.

In all unionized libraries, a flood of increased record-keeping for the personnel office has followed unionization, sometimes requiring an increase in clerical help. There has been a need for more records, such as seniority files and an increase in required statistical information. For many types of personnel actions such as evaluations, terminations, etc., the union has to be informed. The office as the center of information about personnel has to be prepared to organize records so that they are accessible for quick response to questions.

With few exceptions, libraries are represented on management's negotiating team, which usually includes a representative from the parent institution's personnel department and the institution's labor specialist. Library participation is important to ensure adequate protection in the contract for library operations and also to facilitate effective interaction with union leaders. Many of the nuances of union demands and contract provisions are picked up at the bargaining table. The most common practice is for the labor relations director and/or labor lawyer of the parent institution to serve as chairman of management's bargaining committee. It has seemed advisable that the director of libraries not participate; the risks are too great of his being drawn into debate and making a hasty remark or commitment.

However, it is helpful to have the director available as part of a caucus committee, which can also include several top-level management and finance people. The existence of this back-up committee with which all proposals are discussed, can provide a helpful "slow-down" effect on the negotiating committee, preventing hasty decisions and giving overall perspective. The existence of a caucus committee also diminishes the pressure for the negotiating team to make final decisions.

The administrative set-up within the libraries for handling labor relations varies. The most common arrangement is the centering of responsibility in an assistant or deputy director. Other practices are: a business manager; and a team of top management coming together to discuss problems and set policy. The assistant director-deputy director structure may offer more possibilities for success since it centers responsibility in a top-level policy-making person. This person can speak with authority and the union knows it. Each system can be made to work depending on the particular environment.

ROLE OF THE UNIVERSITY

University leadership is essential to effective collective bargaining for the library. Such leadership, centered in one person, is needed to ensure the development of a coordinated benefits and salary program for the university as a whole; library unionization needs to be viewed in the context of campus-wide labor relations and personnel policies. The labor specialist for the university, whether he is a labor relations expert, labor lawyer, or director of personnel services, serves as a valuable resource person and advisor to library management in its union relations. As mentioned before, the university labor specialist typically plays a leadership role on the management negotiating team.

When the university fails to take the lead, a chaotic situation can develop, with unions appearing in a haphazard way in various units, each with its own collective bargaining agreement and separate benefit and salary plans. Such a situation works to the detriment of the individual units as well as the university. The separate units on campus, such as the library or dining service or printing office, lack the expertise to cope with collective bargaining and union relations on their own.

UNION LEADERSHIP

Union leaders are elected to office and are ultimately responsible to their membership. In some respects, the union is a political organization and the president its political leader who must listen to the wishes and needs of the members. Indeed, federal legislation (Landrum-Griffin Act) seeks to protect the rights and interests of individual employees vis-à-vis the union to ensure responsible union leadership.

A skillful union president can help ensure effective union operations and smooth administration-union relations. In addition to presenting membership views to the administration, he will present administration views to his union constituents. In addition, an effective union president will distinguish the trivial from the important in membership demands.

ASSISTANCE AVAILABLE TO LIBRARIES

For private institutions of higher learning, excluding the very small ones, the Federal Mediation and Conciliation Service is available for help in resolving an impasse in contract negotiations. Many states also have state mediation and conciliation services. Depending on state laws, these may be of use to the state institutions. One university had excellent results from a paid consultant who worked over a year and a half with them on personnel and labor policy. To be really beneficial, consultants need to be present for a reasonable length of time in order to develop a full understanding of the institutional setting.

The College and University Personnel Association recently sponsored a three-day workshop on collective bargaining; they can be expected to produce more helpful material on this subject. Local professional associations have also shown increased interest in developing programs on library unionization.

It has recently been announced that an Academic Collective Bargaining Information Service is being established by the Association of American Colleges. This service, scheduled to begin operations around September 1, will: collect and disseminate information on various aspects of collective bargaining; commission or encourage others to carry out research in the field; and assist in the development of consultation services. Materials and services from the project will be available to the higher education community, with a special concern for the needs of college and university administrators. Communications should be directed to Dr. John Gillis, Executive Associate, Association of American Colleges, 1818 R Street, N.W., Washington, D.C. 20009.

The following selected publications provide useful discussion of collective bargaining:

1. Belcher, A.L., Avery, H.P., and Smith, O.S., *Labor Relations in Higher Education* College and University Personnel Association, (1971). This work is a useful introduction and reference book on unionization, especially for academic libraries. It includes a list of key

source material and compact directories of the Federal Mediation and Conciliation Service offices and of the regional offices of the National Labor Relations Board.

2. Carr, R.K., and Van Eyck, D.K., *Collective Bargaining Comes to the Campus*, American Council on Education (1973).

3. Duryea, E.D., et al. *Faculty Unions and Collective Bargaining*, Jossey-Bass Publishers (1973).

4. Moses, Stephen, *Collective Bargaining Agreements in Higher Education*, University of Missouri (1973).

5. Guyton, Theodore L. *Unionization of Public Libraries*, American Library Association (scheduled for publication in 1974).

IMPLICATIONS OF UNIONIZATION

EMPHASIS ON MANAGEMENT FUNCTION

The act of writing a union contract serves to itemize and clarify management's options. Each provision of a collective bargaining agreement is, in effect, a limitation where none had formally existed before. In order to operate effectively, let alone to make changes or experiment within such a framework, management needs to be imaginative in planning and attentive to detail. Managing will require more time than before and will require considerably more attention.

One by-product of operating within a union situation is usually an improvement in library management, a "sharpening up," as one administrator has phrased it. Most administrators recognize the need to devote more attention and study towards improving supervisory techniques and arrange either to bring in management experts to conduct seminars or have supervisors attend classes or workshops. The purpose of such sessions is to encourage librarians in managerial positions to think in terms of being supervisors first instead of last. The union provides a persuasive reason for the administration to promote improved supervisory practice, for it is impossible to defend an arbitrary decision and to withstand a union challenge without a reasonable and well-documented case. In the libraries working under collective bargaining agreements, more attention is given to the decision-making process, to communicating with all levels of management, to planning ahead, and to allocating staff.

PERSONNEL PRACTICES AND PROCEDURES

A general pattern of job posting exists in unionized libraries. The number of days varies, but five working days is the most common. In order to meet special needs, management in most libraries retains some flexibility to transfer employees into a vacancy without first going through the entire posting procedure. Where this is not possible, the inflexibility limits management's effective use of staff.

In advertising opportunities for positions in all parts of the system, posting increases the potential for staff mobility beyond department lines and such interchange of people can be advantageous. However, middle management representatives in several institutions have been quick to point out negative aspects too; it tends to reduce promotional opportunities within a departmental unit, sometimes resulting in a loss of morale as "outsiders" receive promotions over competent staff within the department.

Library management has, for the most part, retained its ability to promote the employees it judges to be the best qualified for the job. In one library which has been limited in this respect, promotions are made on the basis of library seniority once certain minimum time-periods have been met, such as one year as a clerk in order to be eligible for senior clerk, and two years as senior clerk to be eligible for bibliographic assistant. In this library, a thirty-day probationary period is the only means of sifting out employees who are incapable of doing the work. In some libraries, however, management's discretionary power is reduced more by civil service regulations than by the union contracts.

In libraries which continue to promote on skill and ability, a force does exist to challenge management if any promotion seems arbitrary. In some instances management must indicate reasons why an employee did not receive a promotion. In fact, one library has found that challenges to promotions constitute the largest single area of grievances.

Specific limitations on management's use of the transfer tends to appear mostly in the contracts of public libraries. These limitations generally provide for transfers on the basis of inverse seniority and prevent management from transferring employees to branches which are an unreasonable distance from their homes. In the university library in which promotions are governed by seniority, management no longer has the right to transfer employees and can not prevent an employee-initiated transfer from taking place. At this library, the only real limitation on an employee's use of the transfer is a requirement of six months in any one position. During the first three years of the contract, however, lateral moves have been minimal.

Discharging an employee is often procedurally difficult but always possible under the contracts, each contract setting forth specific discharge procedures. In most cases, disciplinary discharges are easier to make than those for poor work performance. However, the discharge process is less complex during the probationary period when the employee usually cannot grieve the action. The periods vary, but usually six months provides a reasonable period to judge an employee's performance. Once beyond a probationary period, discharging an employee is extremely time-consuming, requiring the preparation of a well-documented case that will stand up in arbitration proceedings.

All unionized libraries have maintained the ability to eliminate a position without the mutual agreement of the union. However, management is obliged to show that the job in question is no longer needed and that the duties and responsibilities no longer exist. The union may challenge the decision through the grievance procedure. As long as management is taking a reasonable step, it is in a sound position to meet this challenge all the way to arbitration.

About half of collective bargaining agreements have lay-off provisions. While few libraries have had experience in using these provisions, management generally has been able to effect necessary lay-offs. A careful definition of seniority in such a clause is important. If management wishes to lay-off subject specialists, for example, it must be clear whether seniority is defined within units or as total library seniority.

Job classification usually remains a management function. Typically, library management sets forth job duties and the union has the right to review the descriptions and make suggestions. The suggestions are usually just that; the union has no veto power. In a major exception to this pattern, the description of each job category is negotiated, mutually agreed to, and appended to the collective bargaining agreement. In this situation, when an impasse occurs management may have to create additional positions to work around the problem.

Technological advancements and tight budgets require management flexibility, particularly in changing methods of operation and the content of jobs. While unionized libraries are able to make changes in operations and modify job duties without serious union challenges, several contracts have set up limitations on the means of implementing these changes. These have included provisions that no employee should be demoted or terminated as the result of automation; that the union be notified in advance of any possible changes; and that the library assume responsibility for retraining of employees.

Library management has usually retained its flexibility in establishing and changing work schedules within the context of a fixed and agreed upon number of hours per week. Where there are restrictions on changing work schedules, these are usually a result of civil service regulations rather than collective bargaining agreements.

The most obvious economic consequence of unionization has been the substantial rise in salaries and benefits. While there is some indication that job turnover has decreased since unionization, more investigation is needed to determine whether this has been a function of the general economy. An additional factor requiring consideration is what the effect of unionization will be on total percent of budget allocated for salaries. There are indications that the change has not been drastic in unionized institutions.

EXAMPLES OF UNIONIZED LIBRARIES

Included here is a listing of libraries which have had experience with unionization. The first agreements at these libraries for the most part, date back to the late 1960's. The name of the library management representative for collective bargaining or the person in the library most knowledgeable about union-management relations is given. This list is not intended to be comprehensive.

- **Boston Public Library**
  - Clerical Union: American Federation of State, County, and Municipal Employees (AFSCME)
    - First contract: 1967
  - Professional Union: BPL Professional Staff Association
    - First contract: 1970
  - Contact: Mr. Louis Sasso, Assistant to the Director

- **Brooklyn Public Library**
  - Combined Professional and Clerical Union: AFSCME
    - First contract: 1967
  - Contact: Mr. Philip Adam, Assistant Director

- **City College of the City University of New York**
  - Clerical Union: AFSCME
    - First contract: 1967
  - Professional Union: Professional Staff Congress
    - First contract: 1969
  - Contact: Dr. Bernard Kreissman, Chief Librarian

- **Columbia University**
  - Clerical Union: Drug and Hospital Union (AFL-CIO)
    - First contract: 1969
  - Contact: Mr. Frederick Duda, Assistant Director of Libraries

- **Detroit Public Library**
  - Clerical Union: AFSCME
    - First contract: 1968
  - Professional Union: AFSCME; currently: Professional Organization of Librarians
    - First contract: 1968
  - Professional Supervisors Union: Association of Professional Librarians
    - First contract: 1968
  - Contact: Mr. Arthur M. Woodford, Personnel Director

- **Free Library of Philadelphia**
  - Clerical Union: AFSCME
    - First contract: 1958
  - Professional Union: AFSCME
    - First contract: 1972
  - Contact: Mr. Herman Greenberg, Personnel Officer

- **New York Public Library**
  - Combined Clerical and Professional Union: AFSCME
    - First contract: 1969
  - Contact: Dr. Billy R. Wilkinson, Staff Relations Officer

- **University of Pennsylvania**
  - Clerical Union: AFSCME
    - First contract: 1969
  - Contact: Dr. Joan Gotwals, Assistant Director of Libraries

- **University of Toronto**
  - Clerical Union: Canadian Union of Public Employees
    - First contract: 1970
  - Contact: Mr. M.J. McCahill, Deputy Librarian

While the University of California at Berkeley does not have any collective bargaining agreement because of certain state laws, they have been working in a situation in which unions exist. Working with unions without the framework of a contract has created some difficulties. Library administrators find it difficult to know exactly how to relate to the unions, how to plan ahead, or what problems to anticipate. Mr. William E. Weng, Personnel Officer, may be contacted for additional information.

Temple University has just concluded a contract with a union of clerical employees, including clerks in the Ebrary. Bibliographic assistants are not included on the grounds that such people were more closely associated with professionals. Jane Titus, Personnel Librarian, can provide additional information.

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